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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/822,308

04/12/2004

Bcom-Sik Bae

678-1437

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03/28/2008

THE FARRELL LAW FIRM, P.C.

333 EARLE OVINGTON BOULEVARD

SUITE 701

UNIONDALE, NY 11553

EXAMINER

JACKSON, BLANE J

ART UNIT

PAPER NUMBER

2618

MAIL DATE

DELIVERY MODE

03/28/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/822,308

Applicant(s)

BAE ET AL.

Examiner

Blane J. Jackson

Art Unit

2618

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-13 is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☒ Claim(s) 2 and 3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

The applicant argues that the recitation at issue as regards prior art Hsu does not expressly or implicitly teach the recitations in rejected claim 1. Accordingly, the following rejection under Hsu is clarified to show that Hsu teaches a method of soft handoff with respect to the claim language for broadcast/multicast service data.

The amendment of claims 2 and 3 filed 14 January 2008 resolve the 35 USC 112 2nd paragraph rejection issues.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claim 1 is rejected under 35 U.S.C. 102(a) as being anticipated by Hsu et al. (US 2003/0054807).

As to claim 1, Hsu teaches a method for controlling a Mobile Station (MS) to receive Broadcast/ Multicast Service (BCMCS) data in a mobile communication system including at least one BCMCS controllers and the MS for receiving the BCMCS data through a base station comprising the steps of:

Receiving from a new BS, a new BCMCS zone ID that is different from a pre-stored old BCMCS zone ID while receiving old BCMCS data from an old BS (figure 13,

paragraphs 0089-0092, the mobile station monitors the BCMCS data during cell switching which suggests a soft handoff: the mobile station receives data over the F-PDCH data channel from the current base station *while monitoring* the F-PDCCH data control channel of the next base station for information such as the bcmcs id, the base station mac ID and a unique bsr id which specifies where to find and listen to a given BCMCS at the adjacent sector or base station to determine whether or not to initiate a soft handoff; Paragraphs 0088 and 0093-0095, a synchronization scheme and a cyclic repetition scheme are taught to ensure the mobile station is able to continue receiving the BCMCS data frames from the new sector without interruption, which is soft handoff in a CDMA 2000 system).

Requesting new BCMCS data to the new BS (figure 13, paragraphs 0089 and 0090, the mobile station on the BCMCS monitors the F-PDCCH control channel of the second base station for the best sector),

Establishing a channel with the new BS (paragraph 0092, the mobile monitors the F-PDCH data channel of the second base station for the BCMCS data in soft handoff),

Receiving a BCMCS information from the new BS (paragraphs 0089-0092, the mobile station receives the BCMCS information via the F-PDCCH from the second station).

Receiving the new BCMCS data from the new BS using the BCMCS information (paragraph 0092, the mobile station selects and receives the BCMCS data from the second base station over the F-PDCH data channel).

Allowable Subject Matter

Claims 2 and 3 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claim 2, the prior art made of record teaches the discovery and exchanging control signals with the target base station but does not teach transmitting a registration message to the new BS for being provided the BCMCS data by using a new BCMCS controller.

As to claim 3, the prior art made of record does not teach the step of establishing a predetermined path with the PDSN connected to the new BCMCS controller.

Claims 4-13 are allowed. As to claims 4 and 7, the prior art made of record teaches a method for soft handoff in a CDMA system transporting Broadcast/Multicast Service data but does not teach the method determining, by the new BCMCS controller, whether new BCMCS associate information is equal to old BCMCS associate information and receiving the determination result from the new BCMCS controller.

As to claim 11, the prior art made of record teaches an apparatus for soft handoff in a CDMA system transporting Broadcast/ Multicast Service data but does not teach the apparatus comprising at least two BCMCS controllers that are connected to at least one PDSN which transmits packet data service data to the at least one BS for transmitting BCMCS association information for the BCMCS data requested by the MS to the MS over the connected PDSN and containing the BCMCS zone Ids.

Conclusion

The prior art made of record and not relied upon but considered pertinent to applicant's disclosure includes Suzuki (US 6,574,475), Dorenbosch (US 6,198,406), Hsu et al. (US 2003/0134622) and Hsu et al. (US 2003/0145064).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blane J. Jackson whose telephone number is (571) 272-7890. The examiner can normally be reached on Monday through Thursday, 8:30 AM-7:00 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Blane J. Jackson/
Primary Examiner, Art Unit 2618